Memorandum

To: CHAIR AND COMMISSIONERS **Date:** June 10, 2010

From: BIMLA G. RHINEHART
Executive Director **File:** Book Item 2.2c (14)
Action

Ref: **Final Supplemental Environmental Impact Report for the Moreno Valley Station Specific Plan (Resolution E-10-55)**

ISSUE: Should the Commission, as a Responsible Agency, accept the Final Supplemental Environmental Impact Report (FSEIR), Findings of Fact and Statement of Overriding Considerations for the Moreno Valley Station Specific Plan (project) in Riverside County and approve the project for future consideration of funding?

RECOMMENDATION: Staff recommends that the Commission accept the FSEIR, Findings of Fact and Statement of Overriding Considerations and approve the project for future consideration of funding.

BACKGROUND: The City of Moreno Valley (City) is the CEQA lead agency for the project. The project is a specific plan to guide future land uses at the University of California, Riverside's (UCR) Moreno Valley Field Station. The FSEIR is a programmatic document and the foundation for approval of subsequent development to implement the specific plan. The project site consists of 760 acres located within the city of Moreno Valley, approximately two miles south of State Route 60 and three and one-half miles east of Interstate 215.

The project is a Specific Plan for 710 acres of a 760-acre project site. The preferred land use plan developed for the project proposes a mix of single and multi family residential development, a golf course, parks, retail/commercial development, recreational areas, a high school, middle school and two elementary schools. The project also provides for the connection of Cactus Avenue, John F. Kennedy Drive, Morrison Street, and Nason Street and requires that drainage and other infrastructure be improved on the site.

On February 23, 1999, the City approved the Final Environmental Impact Report (FEIR) and adopted overriding considerations for the project. The FEIR identified certain impacts related to air quality and agriculture that cannot be reduced to a less than significant level after mitigation. Specifically, the City found that cumulative air quality impacts would result from the added pollutants generated by increased traffic in the area, as well as increased energy consumption. In addition, development of the project which encompass nearly 10,000 acres of land will significantly contribute to the urbanization of a large rural area and will permanently displace 1,880 acres of agricultural land within a Williamson Act Preserve and 765 acres in current production. The City found that there are economic, social, and other considerations resulting

from the project that serve to override and outweigh the project's unavoidable significant environmental effects, and thus, the adverse unavoidable effects are considered acceptable.

On May 27, 2003 the City certified the FSEIR for the project and approved a Mitigation Monitoring Program to govern the implementation of mitigation measures for the project. The FSEIR was prepared to further evaluate certain traffic impacts associated with the project and to consider a reduced density alternative and provide additional migration for biological impacts. The FSEIR, with exception for additional mitigation measures to reduce or avoid potential impacts, did not identify any new or more severe significant environmental impacts from implementing the project as compared to the previously adopted FEIR.

On December 13, 2005 the City approved an addendum to the previously certified FSEIR. The addendum was prepared to review any environmental impacts associated with a specific plan amendment, general plan amendment, tentative parcel map and development agreement. The addendum found that, with the exceptions as documented in the February 23, 1999 statement of overriding considerations, the project will not have a significant effect on the environment after mitigation.

The Cactus Avenue Project is an element of the overall project and is programmed in the Proposition 1B State and Local Partnership Program (SLPP). The Cactus Avenue Project includes the construction of nearly a mile of improvements including the removal of sub-standard paving and its replacement with four full travel lanes, sidewalks and parkways between Lasselle Street and Nason Street in Moreno Valley.

On June 1, 2010 the City provided written confirmation that the EIR covers the project level scope of work that is programmed in the SLPP and further project level environmental analysis is not required to ensure compliance with the requirements of CEQA. All environmental impacts of the project were addressed through the Moreno Valley Field Station Specific Plan EIR certified on February 23, 1999, and the Supplemental EIR certified on May 27, 2003. With respect to Cactus Avenue, there are no new impacts that require mitigation and the environmental document and addendum remain valid.

The Cactus Avenue Project is estimated to cost $6,350,000 and is programmed with SLPP ($1,000,000) and Local ($5,350,000) funds. Construction is estimated to begin in fiscal year 2009/10.

Attachments
- Resolution E-10-55
- Statement of Overriding Considerations
- Project Location

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Consideration of Future Funding
08 – Riverside County
Resolution E-10-55

1.1 **WHEREAS,** the City of Moreno Valley (City) has completed a Final Supplemental Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:

- Moreno Valley Station Specific Plan

1.2 **WHEREAS,** the City has certified that the Final Supplemental Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and

1.3 **WHEREAS,** the Moreno Valley Station Specific Plan includes construction of nearly a mile of improvements including the removal of sub-standard paving and its replacement with four full travel lanes, sidewalks, and parkways on Cactus Avenue in the City of Moreno Valley; and

1.4 **WHEREAS,** the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Final Supplemental Environmental Impact Report; and

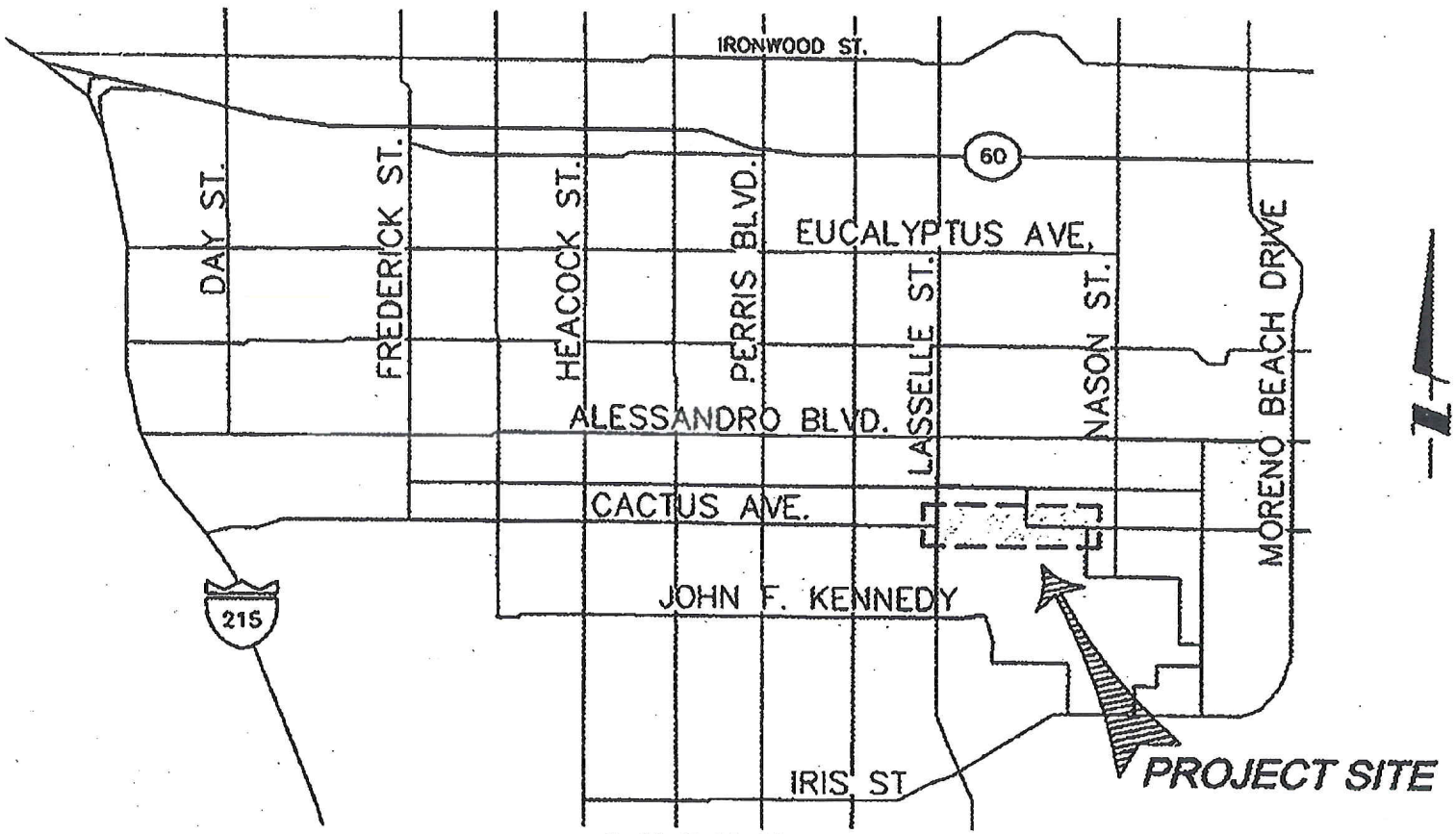
1.5 **WHEREAS,** Findings of Fact made pursuant to CEQA guidelines indicate that specific unavoidable significant impacts related to air quality and agriculture make it infeasible to avoid or fully mitigate to a less than significant level the effects associated with the project; and

1.6 **WHEREAS,** the City adopted a Statement of Overriding Considerations for the project; and

1.7 **WHEREAS,** the City adopted a Mitigation Monitoring Program for the project; and

1.8 **WHEREAS,** the above significant effects are acceptable when balanced against the facts as set forth in the Statement of Overriding Considerations.

2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Final Supplemental Environmental Impact Report, Findings of Fact and Statement of Overriding Considerations and approve the above referenced project to allow for future consideration of funding.



VICINITY MAP:

NTS

SEC. 21, 22, T. 3 S., R. 3 W. THE THOMAS GUIDE, 2000 EDITION, SAN BERNARDINO AND RIVERSIDE COUNTIES – PAGES 717, 718, 747 & 748

RESOLUTION NO. 99-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, APPROVING THE MITIGATION MONITORING PROGRAM AND APPROVING THE GENERAL PLAN AMENDMENT FOR THE MORENO VALLEY FIELD STATION SPECIFIC PLAN (SP 218), GENERALLY LOCATED SOUTH OF BRODIAEA AVENUE, EAST OF LASSELLE STREET, WEST OF OLIVER STREET AND NORTH OF IRIS AVENUE.

WHEREAS, the City Council of the City of Moreno Valley initiated a General Plan Amendment and rezoning program for the area known as the Moreno Valley Field Station;

WHEREAS, on December 10, 1998, and January 14, 1999, the Planning Commission of the City of Moreno Valley held public hearing(s) to consider the proposed project and the associated environmental documentation;

WHEREAS, the Planning Commission recommended that the City Council certify the Final Environmental Impact Report; adopt the Findings and Statement of Overriding Considerations, approve the Mitigation Monitoring Program and approve the General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, on February 23, 1999, the City Council held public hearing to consider the project and all of the environmental documentation prepared for project;

WHEREAS, for the purpose of compliance with the California Environmental Quality Act (CEQA), as amended, the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA, a draft and a final environmental impact report were prepared in sufficient detail and duly circulated in accordance with CEQA;

WHEREAS, the written findings required by CEQA for each of the significant environmental effects of the project and the specific reasons for approving the project notwithstanding the significant environmental effects that cannot be avoided or substantially mitigated are set forth in the Statement of Findings and Overriding Considerations;

WHEREAS, a Mitigation Monitoring Program has been prepared and incorporated into the project to ensure that the mitigation measures are implemented;

NOW, THEREFORE, BE IT RESOLVED, with respect to the implementation of the California Environmental Quality Act, the City Council of the City of Moreno Valley hereby:

1. **CERTIFIES** the Final Environmental Impact Report for the project, incorporated herein by this reference; and

2. **ADOPTS** the proposed Findings and Statement of Overriding Considerations, attached hereto as Exhibit A; and

3. **APPROVES** the proposed Mitigation Monitoring Program, attached hereto as Exhibit B.

BE IT FURTHER RESOLVED, with respect to the proposed General Plan Amendment, the City Council hereby finds:

A. That the proposed amendment is consistent with the goals, objectives, policies and programs of the General Plan.

FACT: Based on the detailed consistency analysis provided in Section IV-B of the Specific Plan, the project is consistent with the General Plan, as revised by this amendment. The specific amendments to the General Plan text, policies and exhibits were designed to eliminate potential inconsistencies.

B. That the proposed amendment does not adversely affect the public health, safety or general welfare.

FACT: An environmental impact report was completed for the project. Based on the information contained in the report, the amendment does not have the potential to adversely affect the public health, safety or general welfare.

BE IT FURTHER RESOLVED, based on the findings contained in this resolution, the Planning Commission hereby recommends that the City Council approve the proposed General Plan Amendment as follows:

1. Delete the last paragraph in Section IV.E.1.b, which reads as follows: "It should be noted that the major agricultural enterprise within the Moreno Valley study area is not a commercial venture. The University of California Farm Station, located between Lasselle and Nason Streets and south of Brodiaea Avenue, encompasses 840 acres and is by far the largest agricultural operation within Moreno Valley. Since 1960, the Farm Station has been used to raise experimental crops suited to dry and semi-dry African climates. Plots of jojoba, cereal grains, rubber, cotton,

tomatoes, eucalyptus, lettuce and squash are cultivated. Half of the total acreage is cultivated per season. The Farm Station employs seven technicians. The University expects the Station to be a permanent off-campus fixture, although residential developments continue to press upon the facility."

2. Delete the fifth paragraph of Section IV.E.2, which reads as follows: "Currently the University of California, Riverside Farm Station is experiencing the tension between urban and agricultural uses. Because the Farm Station is committed to its present site, operations have been modified to minimize spraying, dust and traffic problems. While some pesticides are applied by aircraft, others are sprayed on the ground to minimize drift. However, other conflicts remain. The Farm Station has proposed an undeveloped buffer zone be maintained around its acreage to protects its uninhibited use of the land, while at the same time protecting nearby residents from nuisances such as odors, dust and pesticide drift."

3. Amend the last paragraph of Section IV.G.1 to read as follows: "At present, no 4-year colleges are located in the study area. However, the University of California Field Station, an experimental and educational facility for the University of California Riverside students and faculty, is located in the southern portion of the study area. This Field Station will, over the years, be developed as a mixed-use development in conformance with Specific Plan No. 218. The main University of California Riverside campus lies approximately three miles west of the study area."

4. Amend the first paragraph of Section V.E.2.b to read as follows: "There are sixteen (16) approved specific plans within the City of Moreno Valley, encompassing over 11,500 acres of land. The Moreno Valley Ranch (SP 193), Sunnymead Ranch (SP 168), Cactus Corridor (SP 214), Towngate (SP 200), Sunnymead Boulevard (SP 204), Eastgate Ranch (SP 207) and the Moreno Valley Field Station (SP 218) specific plans contain both residential and commercial components. Hidden Springs (SP 195) and Buckingham (SP 215) projects are primarily residential in nature. The Festival (SP 205), Stoneridge (SP 211) and the Auto Mall (SP 209) specific plans are commercial in nature. The primary purpose of the Oleander (SP 208), Centerpointe (SP 203) and the Highway 60 Corridor (SP 217) specific plans is to provide for industrial and commercial development. The Moreno Highlands Specific Plan (SP 212) provides for residential, commercial and industrial areas. Summaries of certain specific plans are provided below."

5. Amend Policy 41.7 to read as follows: "To the extent that development policies, land use standards, design guidelines and other provisions of the City-adopted Specific Plans are, by their content, intended to address issues contained in the objectives, policies and implementation programs of the Moreno Valley General Plan, then the provisions of those Specific Plans shall be controlling; otherwise, all other provisions of the Moreno Valley General Plan shall remain in effect."

6. Delete subparagraph c of Policy 41.15, which reads as follows: " Buffer areas shall be provided along the UCR Agricultural station boundary."

7. Delete subparagraph f of Policy 41.16, which reads as follows: "Appropriate buffer areas must be provided adjacent to the UCR farm."

8. Revise Figures 29 and 30 to change the designation for the Moreno Valley Field Station site from Non-Residential Area (NR) to Specific Plan Area (SP).

9. Revise Figure 42 (Community Structure) to change the designation within Moreno Valley Field Station site and south of J.F.K Drive from Employment Center and Medical Office Activity Node to Residential Village (RV).

10. Revise Figure 43, (Circulation) to change the classification of Nason Street from Cactus Avenue to Iris Avenue from a Modified Divided Arterial to a Specific Plan street with a right-of-way that varies, a raised median and a curb-to-curb separation of 82 feet.

11. Revise Figure 43, (Circulation) to change the classification of John F. Kennedy Drive from Lasselle Street to Oliver Street from an Arterial to a Specific Plan street with a right-of-way that varies, a raised median and a curb-to-curb separation of 82 feet.

12. Revise Figure 43, (Circulation) to change the classification of Lasselle Street from Brodiaea Avenue to the south project boundary from an Arterial to a Specific Plan street with a right-of-way that varies and a curb-to-curb separation of 76 feet.

13. Revise Figure 43, (Circulation) to change the classification of Cactus Avenue between Lasselle Street to Morrison Street from a Minor Arterial to a Specific Plan street with a right-of-way that varies and a curb-to-curb separation of 64 feet.

14. Revise Figure 43, (Circulation) to change the classification of Morrison Street between Brodiaea Avenue and J.F.K. Drive from a Minor Arterial to a Specific Plan street with a right-of-way that varies and a curb-to-curb separation of 64 feet.

15. Revise the General Plan land use map designation for the site from Agriculture (AG), Planned Commercial (PC) and Planned Residential (PR) to Specific Plan 218 (SP 218).

16. Revise Table V-N to increase the "specific plan" category by 760 acres and reduce the listed acreage under the "other-OS", the Planned Residential and the Planned Commercial categories by 500 acres, 60 acres and 200 acres respectively.

APPROVED this 23rd day of February, 1999.

Frank West
Mayor

ATTEST:

Alicia Chavez, City Clerk

APPROVED AS TO FORM:

City Attorney

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RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, ALICIA CHAVEZ, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 99-13 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of February, 1999, by the following vote:

AYES: Councilmembers Batey, Flickinger, Sterwart, White, and Mayor West

NOES: None

ABSENT: None

ABSTAIN: None

Alicia Chavez

CITY CLERK

(SEAL)

Findings and Statement of Overriding Considerations Regarding the Final Environmental Impact Report for Moreno Valley Field Station Specific Plan

Introduction

The following Findings and Statement of Overriding Considerations are made relative to the conclusions of the Final Environmental Impact Report (final EIR) for the Moreno Valley Field Station Specific Plan. This revision implements the intent of the Preferred Land Use Plan as discussed in the final EIR.

The proposed project would change the land use designations for the subject property identified in the current General Plan and establish the land uses as proposed in the Moreno Valley Field Station Specific Plan. The proposed Specific Plan's Preferred Land Use Plan calls for residential, commercial, school, park, and public facilities.

The Preferred Land Use Plan for the 760-acre site generally consists of a mix of single- and multi-family residential development, totaling 2,922 dwellings; a 148.7-acre golf course; 24.1 acres of retail/commercial (a potential expansion area amounting to 4.1 acres in area 18 could raise this to a total of 28.2 acres and decrease the total amount of residential area by the same amount); an 81.7-acre school and recreational complex, including a high school, middle school, and ball fields; two elementary school sites with active play areas associated with neighborhood parks (24 acres total); and a 25.9-acre community park. The Specific Plan would provide for the connection of Cactus Avenue, John F. Kennedy Drive, Morrison Street, and Nason Street through the property and the widening of Lasselle Street. It would require that drainage and other infrastructure (e.g., water, sewer, gas and electric, telephone, and cable) be provided within the site.

Buildout of the site will take 10 to 15 years or more; changes in community housing needs and market demand are anticipated. For these reasons, a wide range of housing and lot types and higher density single-family residential housing forms seen in higher cost areas are permitted in the plan to assure that they can be accommodated in the future.

The following discretionary actions would be necessary for the implementation of the Moreno Valley Field Station Specific Plan.

a) Amendment of the City of Moreno Valley General Plan

b) Designation of land use for the property as Specific Plan

c) Adoption of the Preferred Land Use Plan (PLUP)

d) Approval of a development agreement (optional)

e) Certification of the Final EIR

f) Changes in the Area Drainage Plan

g) Approval of the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act.

h) Approval of a California Department of Fish and Game 1601/1603 streambed alteration agreement.

The final EIR evaluates the following environmental issues in relation to the project: land use, transportation and traffic circulation, air quality, noise, biological resources, hydrology and water quality, geology, natural and agricultural resources, public facilities and services, and public utilities. The final EIR also evaluates the growth-inducing and cumulative impacts, as well as alternatives to the proposed project.

The final EIR indicates that the Moreno Valley Field Station Specific Plan project's direct impacts on land use and public utilities issues are less than significant. The final EIR indicates that the direct impacts with regard to air quality and agriculture will remain significant. The direct and/or cumulative impacts on the following environmental issues can be substantially lessened or avoided if all the proposed mitigation measures recommended in the final EIR are implemented: traffic, noise, biological resources, hydrology, geology, and public services. In addition, the final EIR does not consider the project growth inducing.

The following findings are made pursuant to Section 21081 of CEQA and Title 14 of the California Code of Regulations, Sections 15091 and 15093 (State CEQA Guidelines).

A. Public Resources Code Section 21081(a)(1)

Finding: The City Council, having reviewed and considered the information contained in the final EIR for the Moreno Valley Field Station Specific Plan project and the public record, finds (pursuant to CEQA and the CEQA Guidelines) that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR with respect to the areas of (1) traffic, (2) noise, (3) biological resources, (4) hydrology, (5) geology, and (6) public services.

No measures are available to fully mitigate the significant impacts associated with air quality and agriculture. Only adoption of the No Project alternative or development

according to current land use designation would avoid or fully mitigate direct impacts to a nominal level.

Facts in Support of Finding

1) Traffic Circulation

a) Impact: The Specific Plan will result in construction of major arterials through the project as well as internal serving streets. These roads will benefit the region in improving east-west circulation and access to SR-60.

Numerous roadway improvements will be necessary to achieve acceptable levels of service for the build-out year 2015. Most of the required improvements can be attributed to the forecasted level of growth for the area and already approved projects. While the proposed project would not specifically necessitate other improvements to the circulation system, the project would add incrementally to the need for these improvements.

The project would be consistent with General Plan goals and policies for long-term traffic circulation in the community.

The project would result in deterioration of service at the following intersections in the near term, for which signal warrants will be met, and other improvements, as shown in Table 8 of the final EIR, will be needed:

- Lasselle Street/Cactus Avenue
- Lasselle Street/John F. Kennedy Drive

Additionally, by the year 2015, implementation of the project would result in the need for signalization and other improvements as shown in Table 8 of the final EIR at the following additional intersections:

- Oliver Street at Alessandro Boulevard
- Oliver Street at Cactus Avenue

b) Mitigation: The Specific Plan provides for improvements to the following streets and intersections as part of future development:

- Brodiaea Avenue, between Lasselle Street and Morrison Street
- Cactus Avenue, between Lasselle Street and Nason Street
- John F. Kennedy Drive, between Lasselle Street and Oliver Street
- Iris Avenue, between Nason Street and the Moreno Valley Medical Center
- Oliver Street, between John F. Kennedy Drive and the Moreno Valley Medical Center

- Nason Street, between Cactus and Iris
- Morrison Street, between Brodiaea Avenue and John F. Kennedy Drive
- Lasselle Street, between Brodiaea and Margaret Avenue
- Nason Street/SR-60 interchange (fair share contribution)

In addition, local streets and intersections internal to the Specific Plan will be constructed to City standards.

Other intersection and street segment improvements will be needed to achieve a level of service (LOS) D or better in year 2015 with or without the project. These improvements are listed on Tables 8 and 9 of the final EIR. With the implementation of these improvements, all the study intersections are forecast to operate at LOS D or better for both the year 2015 scenarios (with and without the project), with the necessary construction of new intersections, signalizations, and intersection expansions. Necessary roadway improvements include the widening or extension of several existing roadways and intersection improvements. The improvements would be implemented through incorporation in the Specific Plan, which contains a schedule of responsibility for improvements associated with future development.

2) Noise

a) Impact: Most of the proposed residential areas, as well as portions of the high school and community park areas, could be exposed to noise levels greater than the City's standards for these types of uses. Additionally, depending on the siting of the elementary schools, portions of the proposed elementary schools could be exposed to noise levels greater than the City's standards.

Project-generated traffic would not create significant increases in future noise levels along surrounding off-site circulation system roadways.

b) Mitigation: Table 17 and Figure 11 of the final EIR identify those areas within the project site which could be significantly impacted by traffic noise. The Specific Plan anticipates that residential areas fronting arterial roads would have continuous six-foot-high masonry walls separating the residential areas from the roads.

Subsequent development proposed for areas in the Specific Plan identified as having the potential for exposure to adverse noise levels, as identified in Table 17 and Figure 11 of the final EIR, shall be reviewed by the City's Community and Economic Development Department and may require preparation of an acoustical analysis with appropriate recommendations. The City's Community and Economic Development Department shall verify that the noise barrier mitigation recommendations are made conditions of approval of the future maps and development plans.

3) Biology

a) Impact: No sensitive plants are located on the project site. No impacts will occur and no mitigation is required.

Impacts to the disturbed non-native habitat used by the loggerhead shrike, California horned lark, San Diego black-tailed jackrabbit, burrowing owl, black-shouldered kite, and northern harrier would be considered cumulatively significant. Participation in the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP) mitigates potential cumulative impacts to this habitat to below a level of significance.

Direct impacts to the nest site of burrowing owls on-site are considered significant but mitigated to below a level of significance by pre-grading surveys to locate and remove burrows outside the nesting season and limiting grading activities during the nesting season.

Impacts to wetlands, intermittent blue-line drainages, and isolated waters are considered significant, due to the no net loss policies of the U.S. Army Corps of Engineers (USACE) and California Department of Fish and Game (CDFG) concerning wetlands and waters of the U.S.

b) Mitigation: The following measures will reduce the identified direct and cumulative impacts to biological resources to below a level of significance.

Participation in the SKR HCP is required by City ordinance and appropriate mitigation for the above-mentioned cumulatively significant impacts to wildlife species. Because habitat suitable for species affected by the project will be added to the SKR reserve areas as a result of payment of the SKR HCP fee, this would adequately mitigate the cumulative loss of the non-native disturbed habitat on-site.

Prior to disturbance of land that may contain burrowing owls, the developer shall submit a burrowing owl report prepared by a qualified biologist to the Community and Economic Development Department. The report shall identify project-specific measures, which may prohibit grading from March to July.

Avoidance of jurisdictional waters of the U.S. (i.e., use of bridges, dedication of open space) is generally recommended to reduce impacts, thus minimizing mitigation requirements. If these areas cannot be avoided through project design, they would be subject to Section 404 of the Clean Water Act, which covers the dredge and fill deposition in waters of the U.S.; or may be subject to Nationwide Permit No. 26 for fills totaling 10 acres or less.

The Specific Plan design for the golf course includes the construction of new open water reservoirs or ponds and earthen drainage courses both for drainage control and for golf course playability. As currently designed, these open water areas would total at least 9.4 acres providing in-kind replacement habitat at a 1 to 1 ratio. As the impacted waters are seasonal agricultural features and the golf course reservoirs would be in-kind habitat, this replacement habitat is appropriate as mitigation.

Prior notification and consultation with USACE would be required. Additionally, the CDFG would require a 1601/1603 streambed alteration agreement be obtained prior to project implementation. Mitigation for loss of disturbed wetland areas may also be required by both the USACE and CDFG as conditions of these permits, which may include the enhancement of wetland habitat. Since opportunity exists for on-site mitigation, enhancement of the main drainage swale, located in the southern portion of the site, through recontouring and revegetating with native riparian tree species would mitigate for potential losses of wetland areas on-site. However, final mitigation requirements will be determined by the appropriate resource agencies.

4) Hydrology/Water Quality

a) Impact:

Drainage. If the Nason Street basin is not constructed, an additional 650 cubic feet per second (cfs) of flow will need to be accommodated with the proposed Specific Plan, and building pad elevations will need to be raised along Nason Street to provide flood-free building sites. If the Sinclair Street basin is not constructed, an increase to the 100-year event flow rate conveyed by Line 'F' would be expected. If this occurs, a drainage study should be prepared to quantify the flow rate to provide flood-free conditions for building pad elevations.

Runoff and Water Quality. Creation of impervious surfaces on what are now primarily open fields would cause an increase in the amount of runoff. The conversion of land to urban use will increase the amount of pollutants entering into the hydrologic system, primarily through the storm water drainage. Water running off building surfaces picks up chemicals from construction materials; water flowing across streets and driveways picks up hydrocarbons and heavy metals associated with roadways and automobiles; and runoff from domestic landscaped areas/gardens is contaminated with fertilizers and pesticides. The application of fungicides, pesticides, and fertilizers to the golf course has the potential to adversely impact the water quality of surface runoff, as well.

Sediment and Erosion. Short-term construction impacts to water quality can result from increased sediment from erosion during construction, especially during wet weather seasons. These activities would, without control measures, increase the amount of sedimentation and siltation associated with runoff.

Well Abandonment. The three irrigation wells located within the project site will be abandoned according to agreements between the University of California and Eastern Municipal Water District. The proposed well abandonment could adversely affect the area's water supply.

b) Mitigation:

Drainage. The proposed drainage plan would convey the drainage anticipated in the Moreno Area Drainage Plan. The incorporation of natural grass-lined channels and detention basins through the golf course would serve to reduce the rates of runoff below those anticipated in the drainage plan. Additional hydrologic analyses will need to be completed to implement specific developments within the Specific Plan.

Design of facilities and redesignation of the 100-year floodplain requires more specific plans for development than are currently available. More detailed design specifics will be prepared for an amendment to the Moreno Area Drainage Plan, which will receive additional CEQA review. The revisions to the Area Drainage Plan and project flood control features will be subject to the review and approval of appropriate federal, state, county, and city agencies prior to issuance of the first grading permit within the project. Projects within the Moreno Area Drainage Plan pay a fee. The fee pays for drainage facilities included in the drainage plan. The fee (currently $6,715 per acre) is paid when the first grading or building permit is obtained for a subdivision map.

Runoff and Water Quality. The Clean Water Act requires the use of Best Management Practices for developments to control pollutants and sediment from entering stormwater runoff. Source control or treatment BMPs would be implemented in conjunction with the City's Municipal National Pollutant Discharge Elimination System (NPDES) permit. To achieve efficient pollutant removal rates from an urbanized project site, the use of permanent, detention facilities can be employed. The detention facility provides temporary storage of runoff from the project site.

Sediment and Erosion. Conditions to control sedimentation and erosion, such as temporary detention basins or other means of stabilization or impoundment, are required under the General Construction Permit by the State Water Resources Control Board. Future construction shall be in conformance with the provisions of the General Construction Permit, and these conditions will be shown on grading plans submitted to the City.

Well Abandonment. The agreements between the University of California and Eastern Municipal Water District shall include conditions to accommodate and assure adequate water supplies after the closing of three irrigation wells located within the project site.

5) Geology/Soils

a) Impact: There are no significant soil or geologic conditions that were observed or known to exist on the project site which would preclude development of the property. However, potentially collapsible soil conditions exist which require remediation of soils as mitigation. Although the properties are subject to seismic shaking, requirements of the State Building Code would reduce the potential seismic hazard to below a level of significance. Implementation of the mitigation measures would lessen the potentially significant impacts to below a level of significance.

b) Mitigation: Implementation of the conclusions and recommendations in the geotechnical report would mitigate all potentially significant effects to below a level of significance. These measures are detailed in Appendix E of the EIR. Grading plans shall incorporate the recommendations contained in the geotechnical report to the satisfaction of the City Engineer.

6) Services

a) Fire Services: To adequately serve the proposed project an additional fire station and fire engine would be required. This is a significant impact.

The project's impacts on fire services will be reduced to less than significant levels with the following mitigation. Fair share financing of a fire station and fire engine shall be secured prior of the subdivision of the property.

b) Schools: The proposed project will generate additional students and thus, require additional facilities and capacity. This is considered a significant impact.

The proposed Mello-Roos District, payment of fees, and dedication of lands would mitigate impacts to schools. This mitigation is to be implemented through an agreement with the school district pursuant to state law.

c) Parks: The Specific Plan proposes 51.1 acres of park use and the City requires 49.0 acres, thereby dedicating parkland consistent with the City's General Plan. This is considered a less than significant impact.

The proposed Specific Plan proposes to provide 51.1 acres of additional public parklands to meet the General Plan standards. No mitigation is required.

d) Library Services: The proposed project will generate an additional 9,800 residents at build-out, thus requiring additional library services. This is not considered a significant impact.

No mitigation beyond the existing fees is proposed. Contributions to bring the community library services to a level equal with General Plan standards are beyond the scope of the project.

e) **Health Care:** Adequate health services facilities exist and are planned. No significant impact is identified.

Adequate facilities exist or are approved. No mitigation is required.

B. Public Resources Code Section 21081(a)(2)

The City Council, having reviewed and considered the information contained in the final EIR for the project and the public record, finds except for school fees, there are no changes or alterations to the project which avoid or substantially lessen the significant environmental impacts that are within the responsibility and jurisdiction of another public agency. The Moreno Valley Unified School District is responsible for school facility mitigation pursuant to state law.

C. Public Resources Code Section 21081(a)(3)

The City Council, having reviewed and considered the information contained in the final EIR for the project and the public record, finds there are specific economic, social, and other considerations which make infeasible additional mitigation measures and project alternatives identified in the final EIR.

The final EIR discusses a range of alternatives according to the requirements of the CEQA Guidelines that would reduce or eliminate the proposed project's significant effects.

1) No Project Alternative

The No Project alternative is defined, for the purposes of this analysis, to mean retention of the existing field station property and facilities for agricultural research. The remainder of the site not utilized for agricultural research would remain in its current undeveloped state.

Finding: Specific economic, legal, social, technological, or other considerations make this alternative infeasible.

Implementation of this alternative would not displace the agricultural lands on-site and would avoid the impacts to traffic, air quality, land use, hydrology, services and utilities, biology, and noise associated with urban development, as discussed in Chapter 5 of the final EIR.

The existing field station lacks adequate groundwater supplies both in terms of the amount of water available and the quality of the available water. Various conflicts currently exist between the operation of the station and adjacent urban residential area. They include noise, odors, and dust generated by farm operations; use of commercially available and experimental agricultural chemicals and biological agents; and growing incidents of trespass that compromise experimental controls. The current marginal value of agricultural research on this site would continue to diminish in the ways described above, making the site less and less viable over time.

This alternative was considered and rejected because it does not meet the objective of the University nor does it contribute to the tax base of the City. This agricultural research site no longer meets the University's needs and a replacement site in the Coachella Valley has already been purchased. The University intends to sell the property and the City of Moreno Valley requested that a Master Plan for the property be prepared prior to further land sales.

2) Development According to Current Land Use Designations

The final EIR indicates that the direct impacts with regard to air quality and agriculture for the proposed project will remain significant. This alternative assumes that the subject property would be developed under the City's current planning and zoning designations, as identified in the 1988 General Plan. The General Plan originally called for most of the site (485 acres) to be retained in agriculture, 60 acres of Planned Residential south of Delphinium Street between Oliver Street and South Nason Street, and 215 acres of Planned Commercial in the flood zone covering the southeastern part of the property. The 1988 General Plan envisioned the 215 acres of Planned Commercial for office, medical, and retail uses.

Finding: Specific economic, legal, social, technological, or other considerations make this alternative infeasible.

When compared with the proposed project, this alternative represents a decrease of 1,104 residential units (approximately 62 percent); a reduction in 173,000 square feet of office/commercial space; and a reduction of about 1,000 potential jobs.

While this alternative would reduce or eliminate impacts to traffic, air quality, services and utilities, biology, and noise, significant impacts would remain for several air quality thresholds (CO, ROC, and NOx).

Although this alternative would not displace the agricultural lands on the project site, the same findings made to show the infeasibility of the No Project alternative are also applicable to this alternative. The current marginal value of agricultural research on this site will continue to diminish and make the site less and less viable over time. The

alternative does not meet the basic objective of the University which is to sell the property and transfer the equity to support agricultural research on other university land. It also would not contribute a reasonable amount of tax base for the City.

3) Other University Uses

Over the last several years, the University has considered the property for various other university uses including new educational facilities, research/office park use, and faculty housing. These evaluations were done in conjunction with the Long-Range Development Plan for the Riverside campus, a 1990/91 review of the field station, as well as other academic and facility planning efforts.

Finding: Specific economic, legal, social, technological, or other considerations make this alternative infeasible.

The University has determined that the field station site is not necessary to meet a future need for educational facilities. The Riverside campus can support enrollment (18,000) well above that authorized for the 2005/6 academic year. In addition, several parcels near the campus offer further expansion and some opportunities to reduce cost or gain land use pattern advantages. Forecasts of future student population indicate that the field station site is also a poor location for a branch or extension campus as it is too close to the Riverside facility to serve a separate population within the UCR service area, yet too far from the main campus to utilize shared services.

The subject property is also not well suited for University research/office park uses. Again, the site is located too far (12 miles) from the Riverside campus to offer functional affiliation and shared services. The site is also considered too distant (two miles) from the nearest freeway for University uses, given that more suitable options nearer the main campus are available to the University. The University's current and anticipated faculty housing needs are adequately met by available lands closer to the main campus.

The academic year 1990/91 review of the field station property led to the identification and purchase of the 540-acre replacement site in the Coachella Valley. Sale of the Moreno Valley site is needed to capitalize the development of the Coachella Valley replacement field station for agricultural research.

4) Commercial Farming

This alternative would continue to promote farming at the project site and possibly sell the property for commercial farming use.

Finding: Specific economic, legal, social, technological, or other considerations make this alternative infeasible.

Current farming on-site is limited to about 300 acres due to the lack of groundwater supply. For this reason, a commercial farming operation would likely require costly imported potable water from the EMWD. The subject property is centrally located within the city and is currently surrounded by existing urban uses, entitlements for urban uses, and vacant land designated for commercial development. Given the level of development in the project area, the subject site is considered as urban "infill." Additionally, potential land use compatibility conflicts would likely result between commercial farming on the site and existing and ongoing urban development adjacent to the site (i.e., noise, dust, crop spraying).

Perhaps the greatest obstacle for continued farming of the property is the extension of urban services through the site, as identified in the General Plan. Implementation of the General Plan for the City requires development of four major roadways through the property. Extension of these roadways through the property would break the farm into seven to ten parcels, each of which would have to be fully fenced. Modifications to farm drainage and irrigation would be needed to accommodate the extension of these streets. Roadway development would isolate fields from the farm equipment center located in the northwest corner of the site. Additionally, three significant drainage features cross the farm and require improvements to meet the needs of upstream and downstream property owners. Development of this infrastructure would all but preclude experimental and commercial agriculture. Finally, the area no longer contains the necessary agri-business support (equipment dealers, custom farm services, commodity markets, and brokers) to make long-term commercial farming feasible.

5) Open Space Retention or Park Development

In its current state, the subject property has minimal wildlife or habitat value; however, it could be restored to native or naturalized habitat for open space uses or park development.

Finding: Specific economic, legal, social, technological, or other considerations make this alternative infeasible.

Even if the site were restored, it would be isolated and of limited value for wildlife movement. In addition, management of near-urban open space is often difficult due to unauthorized intrusion. The subject property has little recreational value as natural open space. The community is already well served by several large parks, specifically the Lake Perris State Recreational Park (8,300 acres), located one mile to the south, Box Springs Mountain Park (1,555 acres), located five miles to the northwest, and De Anza Cycle Park (4,100 acres), located five miles to the northeast. The City of Moreno Valley has not identified the addition of natural open space within the community as a critical need. In terms of funding such a use, the limited amount of open space funding available to the University is earmarked for property with a much higher intrinsic environmental value. It

is unlikely that the City could afford to purchase, develop, and maintain more than a small portion of the subject property as natural open space, even if desired.

While a portion of the property could be developed for park use, it is unlikely that any recreation agency could fund the purchase, development, and long-term maintenance of more than a fraction of the site. In general, park development is more feasible under an urban development plan which provides funding.

6) Alternative Project Designs

Several alternative designs were developed that modified the amount, type, and location of development within the site area (see Figures 19-21 of the draft EIR). These options are included in the Moreno Valley Field Station Briefing Booklet II (May 1993).

Finding: Specific economic, legal, social, technological, or other considerations make this alternative infeasible.

Each of the above development options was evaluated and appropriate elements from each were incorporated into the Preferred Land Use Plan that constitutes the proposed Specific Plan. The Specific Plan, therefore, represents the best development design from an economic standpoint, with the least potential for environmental impacts.

The three alternatives would have allowed a greater amount of residential dwelling units to be developed; 3072, 3350 and 3555 units respectively. As such, the amount of traffic, air pollution and other adverse impacts associated with each of the alternative project designs would exceed the adverse impacts associated with the proposed project.

7) Alternative Location Alternative

This alternative would locate the proposed development in another location.

Finding: Specific economic, legal, social, technological, or other considerations make this alternative infeasible.

An alternative location for the proposed Specific Plan is not a feasible alternative. It does not meet the objectives of the University of California, Riverside nor the City of Moreno Valley. The University's primary objective is to provide an acceptable, marketable development plan for the subject site so that a sufficient financial gain can be achieved to finance the replacement agricultural research endeavor at the Coachella Valley property. The City's objective is to designate appropriate land uses for the property once the University ceases its agricultural research activities at the site that would contribute a reasonable tax base for the City.

STATEMENT OF OVERRIDING CONSIDERATIONS MORENO VALLEY FIELD STATION SPECIFIC PLAN

The California Environmental Quality Act and the State CEQA Guidelines (Section 15093) provide:

(a) CEQA requires the decision-maker to balance the economic, legal, social, technologic, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) Where the decision of the public agency allows the occurrence of significant effects which are identified in the final EIR, but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination.

The City Council, pursuant to CEQA Guidelines Section 15093 and Public Resources Code 21081(a)(3), having balanced the benefits of the project against its unavoidable environmental effects which remain notwithstanding the mitigation measures and alternatives described above, determines that such remaining significant environmental effects are acceptable due to the following considerations:

a) Approval of the Moreno Valley Field Station Specific Plan will result in the payment of a $355,000 impact fee to the Stephens' Kangaroo Rat Habitat Conservation Plan for the purchase of biological habitat within the SKR HCP preserve system. Thus, the public good derived from the impact fee payment would be lost if the proposed project is not approved.

b) The Specific Plan provides four school site locations for development of a high school, middle school, and two elementary schools. The high school site has already been purchased by the school district.

c) The project provides an extension of two important transportation corridors through the site: (1) east-west corridor via John F. Kennedy Drive and (2) north-south corridor via Nason Street. These connections are identified in the City's circulation element.

d) More than five miles of a major jogging/walking/bicycle system has been incorporated in the design of the Specific Plan.

e) The project will provide a variety of housing types which will help meet the housing needs of various economic segments of the community.

f) The project will provide housing and commercial uses in close proximity to the Riverside Regional Medical Center, thereby reducing driving distances between home, work, and shopping for many residents.

g) The project includes a golf course which will provide a valuable recreation amenity for the community.

h) The significance of the environmental effect of the project on air quality is based on consistency with the Air Quality Management Plan (AQMP). According to the CEQA Air Quality Handbook (South Coast Air Quality Management District 1993), a key indicator of significance is whether the project will exceed the assumptions in the AQMP in year 2010 or increments based on the year of project build-out and phasing. Although the project will change the local land use pattern, which the final EIR assumed to be inconsistent with the AQMP, the project will not exceed the growth assumptions contained in the AQMP. The rate of growth depends on housing demand rather than zoning.

The 1998 population for Moreno Valley is 137,221 persons. The AQMP assumes a population of 173,829 in the year 2000 and a population of 286,527 for the year 2010. The year 2000 forecast requires a growth rate of over 18,000 persons per year and the year 2010 forecast requires a growth rate of over 12,000 persons per year. In comparison, from 1993 to 1997, an average of 247 dwellings has been built per year; enough housing or about 865 persons. Notwithstanding that the project will change the local land use pattern, clearly the project will not exceed the growth assumption contained in the AQMP.

For these reasons on balance, the City Council finds there are economic, social, and other considerations resulting from the project that serve to override and outweigh the project's unavoidable significant environmental effects, and thus, the adverse unavoidable effects are considered acceptable.